

CONSUMER GRIEVANCE REDRESSAL FORUM
NAGPUR ZONE (RURAL) M. S. E. D. C. L.

Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,
NAGPUR – 440 013

SHRI V.R.Khobragade,IAS(Retd)
Chairman

PH.(R)2457651(M)9923136412 (O) 0712- 2022198

NO. CGRF/NZ/R/

Date :

Certified copy of order dtd 2ND July,2009 in Case No. 101/2009 is enclosed herewith.

Member-Secy/ Exe.Engineer,
C.G.R.F.(NZ-R)MSEDCL
N A G P U R

Copy to:-

1. Shri Bapurao Gujabrao Warbhe, c/o. Shri Dilip Gujabrao Warbhe, New Yashwantnagar, Nagaji Colony, Zhasi Rani Chouk, Hinganghat, Dist-Wardha.(M.S.)
2. The Chief Engineer,Nagpur Zone (Rural)MSEDCL, Vidyut Bhavan,Katol Road, Nagpur.
3. The Exe.Engineer/N.O., O&M Circle Office, MSEDCL.Wardha, --
4. The E.E.,C.C.O&M Dn., MSEDCL, Hinganghat .for information and necessary action.

Address of **the Electricity Ombudsman** is given as below.

Office of - **The Electricity Ombudsman,**

Maharashtra Electricity Regulatory Commission,
606-608, Keshava Building,
Bandra-Kurla complex,
MUMBAI- 400 051

TEL.- 022 - 26592965 (Direct)
022 - 26590339 (Office)

**BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
M. S. ELECTRICITY DISTRIBUTION CO.LTD.
(NAGPUR ZONE – RURAL) NAGPUR.**

Application/Case No. CGRF/NZ/Rural/ **101** of 2009

Applicant : Shri Bapurao Gujabrao Warbhe, c/o. Shri Dilip Gujabrao Warbhe,
New Yashwantnagar,Nagaji Colony, Zhasi Rani Chouk, Hinganghat,
Dist-Wardha.(M.S.)

-- VS --

Non-applicant : 1.ExecutiveEngineer/Nodal Officer, Internal Grievance Redressal Cell,
CircleOffice, M.S.E.D.C.L., Wardha.
2.Executive Engineer,C.C.O&M Dn., M.S.E.D.C.L., Hinganghat.

Present : : 1.Shri V.R.Khobragade,Chairman
2.Shri S.F.Lanjewar, Member-Secy.

Appearance. : 1. Shri D.G.Warbhe,
Representative of Applicant - Present.
1. Shri P.R.Ghorude, A.E. .
Present for Non-Applicants.

ORDER

(Passed this 2nd day of July,2009)
(Per Shri V.R. Khobragade, CHAIRMAN)

1. Being aggrieved with the order of I.G.R.C., Wardha, the Applicant filed an Application in form schedule 'A' as per MERC (CGRF&EO) Regulations,2006 to this Forum on **14th May,2009** requesting to grant compensation for delay in providing of electricity connection to the agricultural pump of Applicant and refund of excess amount paid towards demand note.
2. After receipt of his application, the Forum issued acknowledgement to Applicant, called parawise comments of the non-applicants(hereinafter called 'DL'/'NA'), a copy of the parawise comments was sent to the Applicant, issued notices to both the parties, finally heard both the parties on **15/6/2009**. Forum thus, offered a fair, reasonable and adequate opportunity to both the parties for submission of their say in the matter.

3. The matter in brief is that the Applicant has applied for electric connection on 12/12/2006. Demand note was issued on 20/10/2007. Applicant has paid demand note amount on 2/11/2007 and test report was submitted on 5/11/2007. As per Applicant's say he carried two poles to his field on instructions of officer of D.L., paid Rs. 300/- as carting charges and further contended that he has paid excess amount towards demand note which be refunded to him.
4. Both the parties were present and they were heard. Both the parties reiterated the same points as mentioned in the application and parawise comments. Representative of Applicant contended that Applicant has applied for electric connection to his agricultural pump on 12/12/2006, and in response to. Demand note date. 20/10/2007 paid demand note amount on 2/11/2007 and submitted test report on 5/11/2007. The Applicant further contended that he carried two poles to his field as instructed by officer of D.L., paid Rs. 300/- as carting charges. Applicant requested for refund of excess amount paid for demand note . Applicant prayed for grant of Rs. 10,000/- towards mental harassment and Rs. 5000/- for expenditure incurred for traveling charges. The Applicant has lastly requested for early energy supply to agricultural pump.
5. Shri P.R.Ghorude, A.E. was present on behalf of non-applicants and Shri Ghorude contended that Applicant has applied for power supply to Rural sub/division office, Hinganghat on 12/12/2006. Being overload on existing transformer, the Asstt. Engineer, Rural Sub/Dn., Hinganghat has prepared estimate for erection of new transformer and submitted to Division Office, Hinganghat on 28/3/2007. As the SPA:PE Scheme for the year 2006 was closed, a sanction for new SPA:PE scheme was received, the estimate was sanctioned on 16/10/2007, demand note was given to Shri Warbhe by A.E.,(R)Sub/Division, Hinganghat on 25/10/2007 . Applicant has paid demand note amount on 2/11/2007 and submitted test report on 5/11/2007 to Rural Sub/Division, Hinganghat. It was brought to the notice of Forum that the

Applicant approached to Collector, Wardha on eve of "LOKSHAHI DIN" for immediate supply of electricity to his agricultural pump. The position was explained to the Collector. It was further pointed out by D.L. that the Applicant has erected pole in his field without knowledge of D.L. and J.E., Wadner has filed FIR against Shri Warbhe, N.A. has not shown any hesitation to release connection to the Applicant since his seniority stands at Sr.No.265. D.L. is not responsible for any expenditure incurred for traveling and no mental harassment was meted out to the Applicant. D.L. is ready to refund excess amount, if any, paid towards demand note. D.L. lastly pointed out that energy supply has been connected to the agricultural pump on 22/5/2009.

6. On going through the record, following facts have been noticed by Forum that the Applicant has applied for electric connection on 12/12/2006. A.E. sent proposal to J.E. on 5/1/2007 and after spot inspection J.E. submitted the case to A.E., Rural S/Dn, Hinganghat on 9/3/2007. There is a delay of 7 weeks on the part of J.E. and the J.E. concerned has to pay compensation of Rs. 700/- to the Applicant. Asstt. Engineer, Rural Sub/Dn. Hinganghat has prepared estimate for erection of new transformer and submitted to Division Office, Hinganghat on 28/3/2007 as the existing transformer was overloaded. On receipt of sanction on 16/10/2007, demand note was given to Shri Warbhe by A.E.,(R)Sub/Division, Hinganghat on 25/10/2007. Applicant has paid demand note amount on 2/11/2007 and submitted test report on 5/11/2007 to Rural Sub/Division, Hinganghat. Electric connection was supplied to the Applicant on 22/5/2009. As the Applicant agitated the issue of power connectivity to agricultural pump Forum directed the D.L. to conduct a fresh Panchnama in presence of the Applicant. The D.L.'s officials at local level visited the site and conducted Panchnama on 18/6/2009. An original copy of Panchnama submitted on 22/6/2009 is placed on record at page 15. On perusal of the said Panchnama it reveals that Applicant was duly informed but remained absent on the

date of visit . The said Panchnama further confirms that the power supply was made available to Applicant's agricultural pump. (" [kyhy i pkl e{k feVj l @ vl yss nk [kfoys o i she/KY; k frUgh fdVd\$ e/ksfot i ppBk l @ vl ysk nk [kfoyk Jh fryhi ojHks; k; k foghjhoj eKkj ykxysh ukgh]"] Keeping reliance on the contention as mentioned in the Panchnama, Forum unanimously observe that D.L. did it's job as required on 22/5/2009. In this case, Forum observed a delay on the part of D.L. for connecting supply to the Applicant of about 70 weeks excluding one month period from 5/11/2007, hence the Applicant is entitled to get compensation of Rs. 7000/- (100 x 70 weeks = Rs, 7000/-). Applicant is also entitled to get refund of Rs. 200/- paid in excess towards demand note. Since the Applicant has brought nothing on record to show mental harassment made by D.L. and no document in support of expenses as claimed towards traveling are furnished, the request in this regards stands no consideration.

7. With the above observations, the Forum thus unanimously pass the following order.

-: ORDER :-

1. The application is allowed and order passed by IGRC, Wardha is set aside.
2. Compensation of Rs. 700/- and Rs. 7000/- should be paid to the Applicant within three months from receipt of this order.
3. Excess amount of Rs. 200/- paid towards demand note also be refunded to the Applicant.
3. No order to costs.
4. Parties be informed accordingly.

(V.R.KHOBRADE)
CHAIRMAN

(S.F.LANJEWAR)
MEMBER/SECY

CONSUMER GRIEVANCE REDRESSAL FORUM
M.S.E.D.C.L.(NAGPUR ZONE – RURAL)NAGPUR

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